

(vi) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.);

(vii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(viii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ix) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) HAZARDOUS SUBSTANCE, POLLUTANT OR CONTAMINANT, RELEASE, AND RESPONSE ACTION.—The terms “hazardous substance”, “pollutant or contaminant”, “release”, and “response action” have the meanings given the terms in section 101 and other provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(b) DOCUMENTATION OF EXISTING CONDITIONS.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Tennessee Valley Authority shall provide the Secretary all documentation and information that exists on the environmental condition of the land and waters comprising the covered land.

(2) ADDITIONAL DOCUMENTATION.—The Tennessee Valley Authority shall provide the Secretary with any additional documentation and information regarding the environmental condition of the covered land as such documentation and information becomes available.

(c) ACTION REQUIRED.—

(1) ASSESSMENT.—Not later than 120 days after the date of enactment of this Act, the Tennessee Valley Authority shall provide to the Secretary an assessment indicating what action, if any, is required under any environmental law on covered land.

(2) MEMORANDUM OF UNDERSTANDING.—If the assessment concludes that action is required under any environmental law with respect to any portion of the covered land, the Secretary and the Tennessee Valley Authority shall enter into a memorandum of understanding that—

(A) provides for the performance by the Tennessee Valley Authority of the required actions identified in the assessment; and

(B) includes a schedule providing for the prompt completion of the required actions to the satisfaction of the Secretary.

(d) DOCUMENTATION DEMONSTRATING ACTION.—The Tennessee Valley Authority shall provide the Secretary with documentation demonstrating that all actions required under any environmental law have been taken, including all response actions that are necessary to protect human health and the environment with respect to any hazardous substance, pollutant or contaminant, hazardous waste, hazardous material, or petroleum product or derivative of a petroleum product on covered land.

(e) CONTINUATION OF RESPONSIBILITIES AND LIABILITIES.—

(1) IN GENERAL.—The transfer of covered land under this Act, and the requirements of this section, shall not affect the responsibilities and liabilities of the Tennessee Valley Authority under any environmental law.

(2) ACCESS.—The Tennessee Valley Authority shall have access to the property that may be reasonably required to carry out a responsibility or satisfy a liability referred to in paragraph (1).

(3) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the transfer of covered land under this Act as the Secretary considers to be appropriate to protect the interest of the United States concerning the continuation of any responsibilities and liabilities under any environmental law.

(4) NO EFFECT ON RESPONSIBILITIES OR LIABILITIES.—Nothing in this Act affects, di-

rectly or indirectly, the responsibilities or liabilities under any environmental law of any person with respect to the Secretary.

(f) OTHER FEDERAL AGENCIES.—Subject to the other provisions of this section, a Federal agency that carried or carries out operations on covered land resulting in the release or threatened release of a hazardous substance, pollutant or contaminant, hazardous waste, hazardous material, or petroleum product or derivative of a petroleum product for which that agency would be liable under any environmental law shall pay—

(1) the costs of related response actions; and

(2) the costs of related actions to remediate petroleum products or their derivatives.

[From the Courier-Journal, Aug. 7, 2000]

TVA'S PROPOSAL TO AUCTION BOONE FOREST MINERAL RIGHTS STINKS

The period for comment on the Tennessee Valley Authority's auction of more than 40,000 acres in mineral rights under Eastern Kentucky's Daniel Boone National Forest has just closed. But for what it's worth, we'll comment anyway: It stinks.

Talk about a rush to judgment. Comment was shut off just 15 days after TVA revealed its plan to sell.

Given that it's at least a quasi-public entity, TVA certainly ought to keep the broad public interest in mind when it makes major business decisions. TVA should be able to say what public good will result from selling these mineral rights to the highest bidder, as if they were some tax evader's living room furniture being auctioned on the courthouse steps.

TVA environmental engineer Steve Hillenbrand defends the sellout (and we do mean to invoke the word “sellout” in both its meanings, the ordinary and the pejorative) by saying the agency needs money. But on that basis just about any outrage could be rationalized. Obviously there needs to be some better justification.

Hillenbrand also said TVA wants out because these mineral deposits are not in the Tennessee Valley.

Odd. The distance between Eastern Kentucky's coalfields and the utility's service area never discouraged TVA's interest, or its coal buyers, before. Indeed, for decades the Kentucky River coalfield was stripped and augered, its watersheds compromised, its resources depleted, its people victimized, for coal to feed the power plants of TVA.

The story of coal barons and their work in Appalachia, on behalf of TVA, would make a great book, if Upton Sinclair or Ida Tarbell were still around to write it.

How can TVA simply turn its back on that history and depart, with the proceeds of its auction?

One newspaper story about the auction said TVA wants at least \$3.5 million, and will sell only to those who agree not to strip mine. But the legalities are unclear, and protection for all the national forest land against stripping is not a sure thing. Nor would such a restriction address the potential impact of deep mining or oil-and-gas exploration, which could be devastating.

The best outcome, obviously, would be for the U.S. Forest Service to control the mineral rights under the acreage that it manages. And if there are legal problems to overcome in arranging that, the auction should be held up until Congress can remove them.

Selling mineral rights to the highest bidder is not a responsible policy. The National Citizens' Coal Law Project is right to oppose it, right to call for a full Environmental Impact Statement on the plan instead of some half-baked assessment, and right to urge

that, if all else fails, only those with exemplary mining and reclamation records be allowed to bid.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. FEINGOLD, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 26, a bill entitled the “Bipartisan Campaign Reform Act of 1999”.

S. 61

At the request of Mr. DEWINE, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 61, a bill to amend the Tariff Act of 1930 to eliminate disincentives to fair trade conditions.

S. 190

At the request of Mr. INOUE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 190, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 693

At the request of Mr. HELMS, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 695

At the request of Mr. CLELAND, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 695, a bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Atlanta, Georgia, metropolitan area.

S. 1128

At the request of Mr. KYL, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1128, a bill to amend the Internal Revenue Code of 1986 to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers, to provide for a carryover basis at death, and to establish a partial capital gains exclusion for inherited assets.

S. 1277

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1277, a bill to amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-qualified health centers and rural health clinics.

S. 1536

At the request of Mr. DEWINE, the names of the Senator from Louisiana (Mr. BREAU), the Senator from Rhode Island (Mr. L. CHAFFEE), and the Senator from Missouri (Mr. ASHCROFT) were added as cosponsors of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the

Act, to modernize programs and services for older individuals, and for other purposes.

S. 1562

At the request of Mr. NICKLES, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to classify certain franchise operation property as 15-year depreciable property.

S. 2029

At the request of Mr. FRIST, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2029, a bill to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes.

S. 2265

At the request of Mrs. HUTCHISON, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. 2287

At the request of Mr. L. CHAFEE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2287, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 2394

At the request of Mr. MOYNIHAN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2394, a bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments.

S. 2434

At the request of Mr. L. CHAFEE, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2434, a bill to provide that amounts allotted to a State under section 2401 of the Social Security Act for each of fiscal years 1998 and 1999 shall remain available through fiscal year 2002.

S. 2450

At the request of Mr. HUTCHINSON, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2450, a bill to terminate the Internal Revenue Code of 1986.

S. 2601

At the request of Mr. ASHCROFT, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2601, a bill to amend the Internal Revenue Code of 1986 to exclude from the gross income of an employee any employer provided home computer and Internet access.

S. 2787

At the request of Mr. BIDEN, the names of the Senator from Mississippi

(Mr. COCHRAN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 2787, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 2858

At the request of Mr. GRAMS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2858, a bill to amend title XVIII of the Social Security Act to ensure adequate payment rates for ambulance services, to apply a prudent layperson standard to the determination of medical necessity for emergency ambulance services, and to recognize the additional costs of providing ambulance services in rural areas.

S. 2937

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 2937, a bill to amend title XVIII of the Social Security Act to improve access to Medicare+Choice plans through an increase in the annual Medicare+Choice capitation rates and for other purposes.

S. 2938

At the request of Mr. BROWNBACK, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Iowa (Mr. GRASSLEY), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 2938, a bill to prohibit United States assistance to the Palestinian Authority if a Palestinian state is declared unilaterally, and for other purposes.

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2938, *supra*.

S. 3007

At the request of Mrs. FEINSTEIN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 3007, a bill to provide for measures in response to a unilateral declaration of the existence of a Palestinian state.

S. 3009

At the request of Mr. HUTCHINSON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 3009, a bill to provide funds to the National Center for Rural Law Enforcement.

S. 3020

At the request of Mr. GRAMS, the names of the Senator from Washington (Mr. GORTON) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3020, a bill to require the Federal Communications Commission to revise its regulations authorizing the operation of new, low-power FM radio stations.

S. 3049

At the request of Mr. FITZGERALD, the names of the Senator from Georgia (Mr. MILLER) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 3049, a bill to increase the maximum amount of marketing loan gains and loan deficiency pay-

ments that an agricultural producer may receive during the 2000 crop year.

S. 3101

At the request of Mr. ASHCROFT, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. 3101, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States.

S. 3116

At the request of Mr. BREAU, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 3116, a bill to amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas.

S. CON. RES. 60

At the request of Mr. FEINGOLD, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S. Con. Res. 60, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S. RES. 343

At the request of Mr. FITZGERALD, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. Res. 343, a resolution expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David.

S. RES. 359

At the request of Mr. SCHUMER, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Rhode Island (Mr. L. CHAFEE), the Senator from North Dakota (Mr. CONRAD), the Senator from Maryland (Mr. SARBANES), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. Res. 359, a resolution designating October 16, 2000, to October 20, 2000 as "National Teach For America Week."

SENATE CONCURRENT RESOLUTION 139—AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE DEDICATION OF THE JAPANESE-AMERICAN MEMORIAL TO PATRIOTISM

Mr. INOUE submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 139

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. DEFINITIONS.

In this Resolution:

(1) **EVENT.**—The term "event" means the dedication of the National Japanese-American Memorial to Patriotism.

(2) **SPONSOR.**—The term "sponsor" means the National Japanese-American Memorial Foundation.